

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

GARY CRUZ and CLAUDE PAIN, Individually and
on behalf of all others similarly situated,

NOTICE OF APPEAL

Plaintiffs,

Case No. 10-cv-08026 (PKC)

-against-

TD BANK, N.A.,

Defendant.

-----X

Notice is hereby given that Cary Cruz and Claude Pain, individually and on behalf of all others similarly situated, Plaintiffs in the above captioned action, hereby appeal to the United States Court of Appeals for the Second Circuit from the judgment entered in this action on March 5, 2012 (and the underlying Memorandum and Order of March 2, 2012) and from each and every part thereof.

Dated: New York, New York
March 26, 2012

/s/

G. Oliver Koppell (GOK-4851)
Daniel Schreck (DS-7680)
Law Offices of G. Oliver Koppell &
Associates
Attorneys for Plaintiffs
99 Park Ave, Suite 330
New York, New York 10016
212-867-3838